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STATE FOR G/TIP LCDEBACA, DRL/ILCSR SMORGAN, NEA/ELA, AND
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TAGS: [KTIP](#) [ELAB](#) [EIND](#) [ETRD](#) [PHUM](#) [SOCI](#) [KWMN](#) [PGOV](#) [JO](#)
SUBJECT: JORDAN: INPUT ON FORCED LABOR AND CHILD LABOR FOR
DOL REPORTS

REF: A. AMMAN 320

[I](#)B. AMMAN 274
[I](#)C. 09 STATE 131995
[I](#)D. 09 AMMAN 2339
[I](#)E. 09 AMMAN 2254
[I](#)F. 09 AMMAN 2074
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[I](#)1. (U) Task 1 Summary: A range of governmental, non-governmental, and private sector interlocutors continue to inform Post that, as a whole, forced labor in the garment sector has significantly decreased, largely due to government action. However, they also state some forced labor conditions still appear in a few factories. These factories tend to be small in size and do not produce for U.S. buyers. Though little information exists, local organizations continue to report some level of child labor in the agriculture sector. End Summary.

[I](#)2. (U) Task 2 Summary: The government has shown a commitment to combat child labor and actively participated in a number of corresponding initiatives over the past year. The \$4 million Department of Labor-funded Combating Exploitative Child Labor Through Education (CECLE) project has been the driving force behind a renewed effort in Jordan to address the issue. CECLE, with its governmental and non-governmental partners, have among other things reinvigorated coordination mechanisms, strengthened national strategies, reviewed legislation, expanded education opportunities for

out-of-school youth, increased public awareness, and trained labor inspectors on child labor. Most of this work was only possible with the technical and financial support of CECLE. The government must now simultaneously amend legislation, strengthen penalties for employing children, and enhance investigations, prosecutions, and convictions for those that exploit children. End Summary.

Task 1: Garment Sector and Forced Labor

¶3. (U) Narrative: Post has extensively reported on labor conditions in the garment sector and government efforts to combat trafficking, especially forced labor. Post has also reported on the strong, adverse reaction by government, civil society, textile union, and private sector contacts regarding the placement of garments from Jordan on the Trafficking Victims Protection Reauthorization Act (TVPRA) listing for forced labor (ref D). These interlocutors believe it is currently unfair to label the entire garment sector in such a manner, as forced labor-type conditions are now only appearing in a small fraction of factories.

¶4. (U) Prevalence: As Post has previously reported, available information suggests that forced labor conditions have substantially decreased in the garment sector as a whole over the past couple years. Over the past year, there were a few reports of continuing problems, such as the withholding of passports and delayed payment of wages, in a couple factories, which were small in size and not exporting to the U.S. market. The Ministry of Labor (MOL) and other stakeholders, such as the National Center for Human Rights (NCHR) and textile union representatives, investigate all complaints received and attempt to take corrective action. For instance, on February 3, 80 workers of different nationalities protested in front of the MOL requesting their employer pay three months of back wages. Their employer, a small factory in the Al Tajamouat Industrial Zone, had been experiencing financial difficulties. Even before the protest, the MOL took action and closed the factory. The Ministry also reached an agreement with the employer to pay back wages via monthly installments. The MOL is in the process of either transferring the foreign workers to another factory or arranging repatriation, including waiving any overstay fines, based on the preferences of the workers.

¶5. (U) Actions taken by Government: Post has previously reported on the government's significant steps over the past few years to eliminate forced labor in the garment sector. This work has been widely viewed as a highlight and success of U.S.-Jordanian labor engagement. The government continues to consider additional measures. Most significantly, the cabinet is reviewing ways to make the ILO's Better Work Jordan Program (BWJ) mandatory for all garment factories. Comprehensive assessments would take place in all factories allowing for a better understanding of the labor situation throughout the sector and would place pressure on the smaller factories to improve practices. (Note: Prior to the cabinet change in December 2009, the then Minister of Labor was scheduled to announce that BWJ would be mandatory for all factories. The new Minister of Labor was recently briefed by the Ambassador and the ILO on the program and why it should be mandatory. The decision is now pending with Jordan's recently-appointed cabinet. End Note.)

Task 1: Fruits and Vegetables and Exploitative Child Labor

¶6. (U) Narrative: As reported in 2008, several local organizations state there is an element of exploitative child labor in the agriculture sector, including in fruit and vegetable harvesting and picking (ref P). The primary form of child labor in the production of agricultural goods, according to these organizations, consists of children working on family farms. Since 2008, at least two organizations have also documented the use of children from migrant families in the production of agriculture goods. For instance, the NCHR has received reports of "numerous" Syrian

children working alongside their families in northern Jordan.

NCHR is currently investigating these reports, including the death of two Syrian child laborers, allegedly due to poor drinking water at their employment site.

¶7. (U) Prevalence: As was the case in 2008, the prevalence of exploitative child labor, whether Jordanian or foreign, in the production of agricultural goods is very difficult to determine. There is a severe lack of data and corroborative information. Contacts primarily point to anecdotal information but do not have specific data on the number of child laborers in the sector or an informed idea of how many may be exploited. A 2008 Jordanian Department of Statistics (DOS) child labor survey gives some minimal insight. Its survey found that 27.3 percent of all child laborers are employed in agriculture; second after retail (36.3 percent). The survey further found that 77 percent of underage female laborers were in the agriculture sector. These figures, however, do not indicate specific conditions or challenges faced by child laborers in this sector, whether exploitation is occurring, the overall number of child laborers, or the prevalence rates, such as percentage of farms using child labor.

¶8. (U) Actions taken by the government: As described under Task 2, the government, with support from CECLE, has taken several actions to address child labor; however, Post is not aware of any actions specifically targeted at the agriculture sector to date.

Task 2: Input for Child Labor Report

¶9. (U) (2A) In the Jordanian economy, children work in mechanical repair, agriculture and fishing, construction, and hotels and restaurants, as well as in the informal sector as street vendors, carpenters, blacksmiths, domestic workers, painters, and in small family businesses. NGOs and the government report no significant shifts in sectors employing child labor over the past year but believe that the number of child laborers has generally increased due primarily to Jordan's continued poor economic conditions and high unemployment.

¶10. (U) (2A) The last government study on child labor was the DOS survey completed in 2008. DOL/ILAB has a copy of the report, but Post will engage the DOS to determine willingness to release the dataset. The MOL released a survey on the worst forms of child labor in February 2007. The report is available on the MOL website (www.mol.gov.jo). Results of both surveys were reported in last year's input cable (ref 0).

¶11. (U) (2B) The government did not enact any new laws or regulations over the past year explicitly related to exploitative child labor, though it did pass a new anti-trafficking law (paras 12-13). A National Legislative Review Team, assembled by CECLE and consisting of governmental and non-governmental stakeholders, conducted a wide ranging review of existing statutes and developed a list of recommended legal and regulatory amendments. These recommendations cover a number of laws and regulations, such as the Law of Service Personnel in the Armed Forces, Penal Code, Labor Law, Law of Education, Juvenile Law, and Social Security Law. Based on the recommendations, CECLE signed a Memorandum of Understanding with the government bodies responsible for each law or regulation requiring amendment. Post will e-mail the recommended legal and regulatory changes to DOL.

¶12. (U) (2B) On March 31, 2009, a new anti-trafficking law came into effect, prohibiting trafficking-in-persons for both forced labor and sexual exploitation. "Crimes of TIP" are defined in the law as the recruitment, transportation, and harboring of individual(s) by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, or abuse of power for the purpose of exploitation. In addition to defining punishments, the law established a

National Committee to Combat TIP, provided for legal protection of victims, and stated that one or more shelters may be created based on the committee's recommendation. The anti-TIP law stipulates a punishment of up to ten years in prison with hard labor for the following offenses, whether sexual exploitation or labor:

- If the person trafficked is under 18 years of age;
- If the person has established, organized, or managed an organized criminal group for human trafficking;
- If the victims include females or persons with disabilities;
- If the crime involves exploitation in prostitution, any other form of sexual exploitation, or organ removal;
- If the act is committed by threat or use of a weapon;
- If the crime causes the victim to suffer chronic incurable disease;
- If the person is a relative of the victim;
- If the person is a public official and committed the crime by abusing his/her office;
- If the crime is transnational in nature.

¶13. (U) (2B) The anti-TIP law prescribes a punishment for other human trafficking crimes of at least six months and/or a fine of not less than \$1,400 (1,000 JD) and not more than \$7,000 (5,000 JD). The law also stipulates a minimum sentence of six months for any person who knew about the crime by virtue of his/her job and did not notify officials. Any person who hid or disposed of evidence shall be imprisoned for no more than one year or receive a fine of not less than \$280 (200 JD) and not more than \$1,400 (1,000 JD). The national TIP committee is also given the authority to close businesses for human trafficking violations and can confiscate related profits. The law does not prevent stiffer penalties through the application of other legislation. Post will place the anti-TIP law on its intranet site.

¶14. (U) (2B) While a number of laws seek to prevent child labor and punish those who exploit or employ children, the legal and regulatory framework was not yet sufficient to effectively address exploitative child labor. Available legal remedies and punishments to deter violations and punish violators were not adequately strong. The labor law sets out a penalty of only 500 dinars (\$700) for the illegal recruitment and employment of children. The fine is supposed to be doubled if the offense is repeated. Labor inspectors did issue fines during the year but, in many cases, tried to handle the case informally with both the employer and family. For instance, inspectors would obtain guarantees that the child not work in hazardous positions and be allowed to either attend informal, non-formal, or formal education. Inspectors admit that the small value fine can be easily paid by most employers while often the child's family cannot afford the loss of income. In some instances, other legislation can be used to punish those exploiting children for labor, such as the new anti-trafficking law and penal code, but they were not used in such a manner during the year.

¶15. (U) (2C) The primary agency responsible for the enforcement of laws related to hazardous and forced child labor is the MOL. The MOL's Child Labor Unit (CLU) is tasked with coordinating government action regarding child labor. The CLU, however, is currently staffed by two people, who are not sufficiently empowered to direct labor inspections or coordinate efforts across ministries. UNICEF conducted an assessment of the CLU during the year and developed recommendations to expand the CLU's capabilities. These recommendations are still being discussed between UNICEF and the MOL but include measures to strengthen the unit's capacity and raise its profile. All labor inspectors are tasked with identifying child labor and enforcing child labor provisions in the labor law as part of their normal inspection activities. However, 10 labor inspectors were appointed during the year to act as regional leads on child labor and to work with government and non-government partners to solve cases. The Public Security Department (PSD) is tasked with assisting in the investigation of cases punishable by non-labor law statutes, such as trafficking

labor offenses. The MOL and PSD are in the process of establishing a TIP investigation unit, which could be used to investigate child forced labor.

¶16. (U) (2C) A National Committee to Combat Child Labor is being reinvigorated through CECLE. The committee is headed by the Ministry of Labor and comprises 13 governmental and non-governmental bodies with a stake in prevention, enforcement, or protection. Until now, the exchange of information between all such stakeholders has been severely lacking and, as such, the committee's first goal is to identify ways to better share information and coordinate efforts and resources.

¶17. (U) (2C) The government does not operate an effective mechanism to receive complaints about hazardous and forced child labor violations. The MOL operates a hotline which has primarily been used by foreign domestic workers and textile workers to report abuse and violations. The MOL plans to expand the hotline so that citizens can report any type of labor complaint, including child labor. The hotline was not widely advertised to the general public during the year but the MOL has plans to highlight the phone number in awareness campaigns and brochures. Citizens made a few direct calls with child labor-related complaints and information to the inspectorate during the year. The inspectorate did not keep a record of such calls received but contends that every complaint was investigated. The MOL recently signed an agreement with the Jordan River Foundation, a large local NGO working in a number of areas including child and youth programs, to refer child labor cases to the MOL.

¶18. (U) (2C) The MOL increased the number of labor inspectors nearly three-fold since 2006 to 140. The MOL has received funds for an additional 35 inspectors and is currently interviewing candidates. The head of the labor inspectorate states that his organization will soon be able to adequately cover all sectors (see para 19 for more details). The government focused inspection efforts on some sectors, such as the garment sector, which has reportedly resulted in a significant decrease in forced labor allegations in this sector. (Note: Only a handful of garment factory workers have been found to be under 18; therefore, the reduction of forced labor cases involves adults. End Note.) The major gap, however, is the inability of inspectors to cover the agriculture sector. In 2008, agriculture workers were placed under the labor law after which the MOL started to develop by-laws for the sector. These by-laws have not yet been approved by Jordan's cabinet. Once approved, the inspectorate will have the authority to also cover farms and agricultural businesses.

¶19. (U) (2C) The government increased funding to the labor inspectorate over the last several years resulting in an increased number of inspectors and resources, such as facilities and vehicles. The inspectorate conducted over 176,000 on-the-spot and planned investigations during the year with the number expected to increase with additional inspectors. The inspectorate continues to work on a database and management system that will allow them to better plan inspections and determine coverage. The head of the labor inspectorate believes they will soon have 50 percent coverage of all businesses each year. Government funding is adequate to cover current inspection operations. However, resources are needed to complete the planned restructuring of the Child Labor Unit and to conduct planned trafficking-in-persons programs, such as a shelter, public awareness campaigns, and assistance to the joint labor-police inspector unit. Jordan's budget deficit has increased substantially, which is likely to make the provision of additional resources difficult.

¶20. (U) (2C) There are no labor inspectors dedicated to child labor. Instead, each labor inspector is required to cover four areas during inspections; child labor, labor relations, occupation safety and health, and the general labor situation. While conducting routine and random inspections, inspectors found 375 child laborers in 2009. All 375

children were assisted and referred to services, particularly to informal and non-formal education opportunities. These cases were largely found in small businesses, such as mechanic shops and restaurants (ref A).

¶21. (U) (2C) The government did not prosecute any child labor offenses during the year. The labor inspectorate issued fines of up to 500 dinars (\$700) per violation but no criminal charges or court action was taken against any of the offenders. The labor inspectorate fined 33 businesses for child labor during the year. Other businesses were warned and ordered to take corrective action. The anti-trafficking law was used to prosecute cases of organ trafficking, selling of children, and forced labor of a domestic worker during the year.

¶22. (U) (2C) CECLE has trained 48 labor inspectors on the identification and handling of child labor cases and plans to train the remaining inspectors in the coming year. The police did not conduct any child labor-related training for its officers during the year. The labor inspectorate has requested exchange programs with experienced inspectorates that have successfully dealt with child labor.

¶23. (U) (2D) The government took active steps the past year to generally combat TIP, such as the passage of the anti-trafficking law, development of a national strategy, and increased investigations. These efforts, however, were either general in-nature or targeted at specific sectors, such as the garment sector and domestic workers. There were no specific activities, initiatives, or programs dedicated specifically to child trafficking or commercial sexual exploitation of children.

¶24. (U) (2E) The National Committee to Combat Child Labor is currently developing a National Framework to Combat Child Labor. The framework will build on the 2004 National Strategy for the Elimination of the Worst Forms of Child Labor. Implementation of the 2004 strategy has been extremely weak due in large part to a lack of effective coordination and government capacity. As a result, the framework will focus on stakeholder information sharing and available resources, both governmental and non-governmental, to address child labor. A workshop to discuss the framework is planned for February with its completion scheduled for April.

¶25. (U) (2E) The government included child labor in several national development and reform-related action plans. Jordan's National Agenda 2006-2015, the primary guide for political and economic reform, includes a goal to eliminate the worst forms of child labor. Additionally, the Jordanian National Plan of Action for Children 2004-2013 aims to eliminate the worst forms of child labor by 2014 and to decrease the overall number of child laborers. These action plans were not tied to specific amounts in the national budget but were meant to act as a guideline when establishing government priorities and programs. Ministries, however, allocated funds from their own budgets to implement activities aimed at child labor, such as the Ministry of Education's (MOE) operation of non-formal education centers for out-of-school youth, the MOL's inspection operations, and the Ministry of Social Development's (MOSD) campaign to stop child begging. Additionally, as described in paragraphs 28-31, the government provided non-monetary support to specific activities aimed to prevent or reduce child labor.

¶26. (U) (2E) The National Committee to Combat Child Labor was reinvigorated over the past year. CECLE was the driving force behind the increased level of cooperation and, moving forward, a focus must be placed on institutionalizing and sustaining the committee.

¶27. (U) (2E) Jordan ratified and published the Palermo Protocol to Prevent, Suppress, and Punish Trafficking-in-Persons in the Official Gazette on April 30, 2009. The government also signed a bi-lateral agreement with Indonesia and Sri Lanka to better regulate the recruitment of

migrant workers and define the role of each government in the process. While not specifically an agreement to combat trafficking, ineffective regulation and oversight of the recruitment process and recruitment agencies significantly increases the likelihood of forced labor. A new agreement with the Philippines has also reportedly been completed but not yet signed. (Note: This effort is primarily targeted at the domestic worker sector though stronger recruitment regulation and oversight could reduce the number of underage women arriving in Jordan to work as domestic workers.

Jordanian recruitment agencies can legally recruit domestic workers only from the Philippines, Sri Lanka, and Indonesia. End Note.)

¶28. (U) (2F) The GOJ implements and supports several initiatives aimed at reducing child labor. Government and civil society continue to focus their effort on increasing education and mentoring opportunities to out-of-school youth and child laborers. Questscope, an international NGO, in partnership with the MOE, MOSD, and MOL continues to be the primary organization providing education programs to out-of-school youth. Questscope's programs are being expanded under CECLE, which are described below:

--Non-formal Education (NFE) Program: Gives out-of-school youth the opportunity to earn a 10th grade equivalent certificate, which is a requirement for applicants to attend vocational school. There are currently over 3,000 children attending 39 NFE centers across Jordan. CECLE intends to develop another 7 centers. The MOE has approved NFE as an official education curriculum, and the MOE continued to take over the operation of NFE centers.

--Informal Education Program: The first level of NFE instruction can be completed through a community-based organization (CBO). CECLE aims to increase the number of CBOs providing informal education from 7 to 23. To date, 19 CBOs are providing these services. After finishing the informal education instruction, a child can enter the second level of NFE instruction upon passing a proficiency exam.

--Mentoring Program: Questscope continues to implement a program to match out-of-school youth with adult mentors. The mentor and child meet regularly for one-on-one meetings as well as for recreational and education opportunities.

¶29. (U) (2F) The government also participates in other child labor eradication programs. At the forefront is the Social Safety Center in Sahab in eastern Amman, which is currently providing non-formal education to over 500 working children between the ages of 13 and 15. The center, established by the Jordanian Hashemite Fund for Human Development (JOHUD) in 2005, also provides remedial classes to struggling students to keep them from dropping out of school. The center continues to experience a long wait list for their programs. The project works closely with the Greater Amman Municipality, MOL, MOE, and employers to identify and refer child laborers.

¶30. (U) (2F) As described throughout this cable, the government has been actively engaged in the implementation of CECLE. Other CECLE initiatives not already described and that include government participation are:

-- Public awareness: CECLE is implementing several activities to increase public awareness on child labor, including the development of an action plan with the MOE targeting students, training of journalists, airing of TV and radio public service announcements, placement of advertisements in newspapers, and training teachers and CBOs to use music, drama, and other mediums to increase awareness.

-- Teacher manual: CECLE with the MOE is developing a teacher manual with sample teaching materials. The manual will outline problems associated with child labor and include such topics as effective counseling to prevent school drop-outs.

-- Psycho-social study: The National Council for Family Affairs in cooperation with the World Health Organization and the Ministry of Health will conduct a study in five governorates on the psychological, medical, and social impact of child labor.

131. (U) (2F) CECLE is working with partner community-based organizations and the labor inspectorate to develop a list of assistance and funding opportunities for families of child laborers in an effort to remove children from the workplace. A primary source of funding for such families is the National Aid Fund (NAF), which operates Jordan's cash assistance programs. Until now, NAF has not specifically targeted families of working children but did assist families that might be highly susceptible to child labor due to their poor economic situation. The NAF has agreed to partner with CECLE and its partners to offer either direct assistance or low-cost loans to families of child laborers. The type of assistance will largely be determined by a family's economic situation. CECLE will also create linkages with other mechanisms, including micro-loan facilities.

132. (U) (2G) Comment: The government has shown commitment over the past year to combat child labor. They have also taken active steps to strengthen national strategies and coordination mechanisms, build the know-how of national actors to fulfill their roles, and improve education opportunities for out-of-school youth. Many of these efforts were a direct result of and only made possible by CECLE. The government and civil society remain optimistic that these measures will be expanded over the remaining life of the project. CECLE stakeholders must focus on sustainability to ensure that the mechanisms and capacity built will continue long after the project. Separate from CECLE, the government must also place greater emphasis on investigating, prosecuting, and punishing those found to exploit children. There was little to no progress in this area over the past year. Post will continue to work closely with CECLE and DOL to push the government to take needed action, such as enacting the recommended changes to national legislation and giving authorities the necessary tools to prevent and deter child labor. End Comment.

Beecroft